

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

THERESA POPELACK

v.

JO ANNE B. BARNHART,
Commissioner of
Social Security Administration

CIVIL ACTION

NO. 06-3080

FILED

MAY 11 2007

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

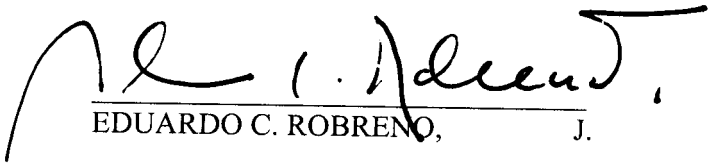
ORDER

AND NOW, this 10 day of May, 2007, upon consideration of plaintiff's motion for summary judgment, and defendant's motion for summary judgment, and after careful review of the Report and Recommendation of United States Magistrate Judge Thomas J. Rueter, it is hereby

ORDERED

1. The Report and Recommendation is APPROVED and ADOPTED;
2. The plaintiff's motion for summary judgment is GRANTED;
3. The defendant's motion for summary judgment is DENIED;
4. The case is remanded in accordance with the fourth sentence of 42 U.S.C. § 405 (g) for further proceedings consistent with the Report and Recommendation of Magistrate Judge Rueter; and
5. Judgment is entered in favor of plaintiff and against defendant.

BY THE COURT:


EDUARDO C. ROBRENO, J.